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Attorneys for Mark D. Waldron, Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

Chapter 7

**CHAPTER 7 TRUSTEE'S MOTION
FOR ORDER APPROVING
SETTLEMENTS**

Mark D. Waldron, in his official capacity as the Chapter 7 Trustee hereby moves the Court pursuant to 11 U.S.C. §§ 105 and 363, Bankruptcy Rules 3006, 7041, 9019 and L.B.R. 9019-1 for an Order approving the settlement between the Trustee, on the one hand, and Perkins Coie LLP and Lowell Ness, on the other, pursuant to the terms set forth in the *Settlement Agreement and Release* (the "Trustee Agreement"), Exhibit 1, submitted herewith. Related to the foregoing settlement, the Trustee further requests that the Court approve a stipulation ("Sofair Stipulation") with Refael Sofair pursuant to which he will dismiss all claims against the estate and withdraw all claims filed in this case in exchange for an allowed general unsecured claim in the amount of \$16,977. Further related to the foregoing settlement, the Trustee requests approval of the stipulation

Chapter 7 Trustee's Motion
for Order Approving Settlements - Page 1

1 (“Usmanov Stipulation”) with Timur Usmanov pursuant to which the Trustee will
2 dismiss his claims against Mr. Usmanov in exchange for a global release.

3 The settlement and related stipulations with Messrs. Sofair and Usmanov
4 are discussed more fully in the following documents filed herewith: (1)
5 *Memorandum of Points and Authorities in Support of the Chapter 7 Trustee’s*
6 *Motion for Order Approving Settlements*; (2) *Declaration of Mark D. Waldron in*
7 *Support of the Chapter 7 Trustee’s Motion for Order Approving Settlements*; (3)
8 *Request for Judicial Notice in Support of the Chapter 7 Trustee’s Motion for*
9 *Order Approving Settlements*; (4) *Submission of Exhibits in Support of the*
10 *Chapter 7 Trustee’s Motion for Order Approving Settlements*; and (5) *Declaration*
11 *of Pamela M. Egan Support of the Chapter 7 Trustee’s Motion for Order*
12 *Approving Settlements*.

13 WHEREFORE, the Trustee respectfully requests entry of an Order:

- 14 1. Finding that the Trustee Settlement is fair and equitable;
- 15 2. Finding that Notice of the Motion complied with all applicable rules
16 and satisfies the requirements of Due Process;
- 17 3. Granting the Motion;
- 18 4. Approving the Trustee Settlement;
- 19 5. Authorizing, but not directing, the Trustee to enter into the Trustee
20 Settlement, the Sofair Stipulation, and the Usmanov Stipulation; and

1 6. Granting such other and further relief as the Court deems necessary
2 and just.

3 Dated: August 28, 2023

POTOMAC LAW GROUP PLLC

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5 By: /s/ Pamela M. Egan
Pamela M. Egan (WSBA No. 54736)
6 *Attorneys for Mark D. Waldron, Chapter 7*
7 *Trustee*
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